#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Marvin A. Wallace	) Atty. Dkt. No. 8328.001
Serial No.:	Not Yet Assigned	<b>)</b>
Filed:	Herewith	)
For <sup>.</sup>	TRENCH FILLING DEVICE	)

Box Patent Application Commissioner for Patents Washington, D.C. 20231

#### INFORMATION DISCLOSURE STATEMENT

### List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

- **Preliminary Statements** 1. [X] Forms PTO/SB/08A and 08B (formerly Form PTO-1449) 2. [X] Statement as to Information Not Found in Patents or 3. [] **Publications** 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted **Cumulative Patents or Publications** 5.
- 6. [X] Copies of Listed Information Items Accompanying this Statement

- 7. Concise Explanation of Non-English Language Listed Information Items 7A. **EPO Search Report** 7B. [] **English Language Version** 8. Translation(s) of Non-English Language Documents 9. [] Concise Explanation of English Language Listed Information Items (Optional)
- 10. [X] Identification of Person(s) Making this Information Disclosure Statement

#### Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

#### Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

- [X] A completed Form PTO/SB/08A and/or Form PTO/SB/08B is attached hereto.
- Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449)
- Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted

	erial No, filed on (date).
	(complete the following, if applicable)
[]	This application also relies, under 35 U.S.C. 120, on the earlier filing date of prior application Serial No, filed on (date).
	ollowing references were submitted to, and/or cited by, the Office in the prior ) and therefore, are not required to be provided in this application:
Section 5.	Cumulative Patents or Publications
	STATEMENT
1449:	_ is cumulative of the following patents or publications listed on Form PTO-
	e with 37 C.F.R. § 1.98(c), a copy of only is being submitted with this Disclosure Statement.
Section 6.	Copies of Listed Information Items Accompanying this Statement
	e copies of all items listed in Form PTO-1449 (Modified) accompany this lisclosure statement.
[]	Exception(s) to above:
	[] Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.
	[] Cumulative patents or publications identified in Section 5.
Section 7.	Concise Explanation of Non-English Language Listed Information Items
Section 7A.	Concise Explanation of Non-English Language Listed Information Items - EPO Search Report

3

The relevance with respect to the following citations listed on Form PTO-1449:

is submitted on the basis of accompanying:

(check the appropriate item)

- [] EPO search report that is in the English language,
- [] EPO search report that is not in the English language and that is accompanied also by an English language version of the EPO search report,

that issued on the corresponding European patent application.

## Section 7B. Concise Explanation of Non-English Language Listed Information Items - English Language Version of EPO Search Report

#### Section 8. Translation(s) of Non-English Language Documents

[] Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

(complete the following, if applicable)

- [] No English language translations of the foreign language parents, publications or information or parts thereof are readily available, except for those listed above.
- [] The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

# Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

## Section 10. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the agent/attorney who signs below on the basis of the information:

- [] supplied by the inventor(s)
- [] supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- [X] in the agent/attorney's file

Respectfully submitted,

Jerry J. Dunlap, Reg. No. 17,146

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Express Mail:

EV 402336975 US

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)

of 2

Date Deposited:

02/17/2004

Sheet

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Complete if Known						
Application Number	Not Yet Assigned					
Filing Date	Herewith					
First Named Inventor	Marvin A. Wallace					
Group Art Unit						
Examiner Name						
Attorney Docket Number	8328.001					

	-			U.S. PATENT DOCU	JMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document  Number Kind Code² (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	975,457		E. L. Ransome	11/15/1910	
	AB	1,112,016		L. MacLachlan	09/29/1914	
	AC	2,585,117		A. G. Gurries	02/12/1952	
	AD	3,471,953		H. M. Wyatt	11/14/1969	
	AE	3,776,318		Layton	12/04/1973	
	AF	5,533,283		Roth	07/09/1996	· · · · · · · · · · · · · · · · · · ·
	AG	6,139,223 6,273,637		Snyder	10/31/2000	
	ΑH			Peterson	08/14/2001	
	Al	6,338,209		McClure	01/15/2002	
	AJ	6,434,861		McCullough	08/20/2002	

	FOREIGN PATENT DOCUMENTS								
	Ci4-	F	oreign Patent Do		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	T	
	Cite No. <sup>1</sup>	Office <sup>3</sup>	Number⁴	Kind Code <sup>5</sup> ( <i>if known</i> )	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Τ <sup>t</sup>	
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Express Mail: Date Deposited:

EV 402336975 US

02/17/2004

PTO/SB/08B (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO				Complete if Known		
		_		Application Number	Not Yet Assigned	
INF	ORMATIO	N C	ISCLOSURE	Filing Date	Herewith	
STATEMENT BY APPLICANT			APPLICANT	First Named Inventor	Marvin A. Wallace	
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	(use as many s	sheet	s as necessary)	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	8328.001	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	AA					
Examine Signatur	er e	Date Considered				

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.